

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEITH JOHNSON, COLBY GOROG,
JOSHUA FLINT, LOUIS ROBINSON
and MICHAEL LERRO,

Plaintiffs,

- versus -

ELON MUSK, TESLA, INC. and THE
DOGECOIN FOUNDATION, INC.

Defendants.

Case No.: 1:22-cv-05037-AKH

**PLAINTIFFS' MOTION
TO APPOINT LEAD PLAINTIFFS
AND APPROVE LEAD COUNSEL**

It is respectfully requested that this Court as soon as the matter may be heard before the Honorable Alvin K. Hellerstein, United States District Judge, in Courtroom 14D, of the Daniel Patrick Moynihan Federal District Courthouse located at 500 Pearl Street, New York, NY 10007-1312, Plaintiffs Colby Gorog, Joshua Flint, Louis Robinson, and Michael Lerro ("Plaintiffs") will and do hereby move this Court for an order appointing Plaintiffs Gorog, Flint, Robinson and Lerro as Lead Plaintiffs, and approving Plaintiffs' selection of Evan Spencer Law, PLLC as Lead Counsel.

This Motion is made pursuant to the Private Securities Litigation Reform Act (PSLRA) of 1995 on the grounds that Plaintiffs satisfy the PSLRA's notice requirement, have the largest financial interest in the litigation, are typical of the other members of the Classes, and will adequately represent and protect the interests of the Classes. This Motion is based upon this Notice of Motion, Brief, Plaintiffs' Certifications, the Declaration of Evan Spencer in Support of Plaintiffs' Motion for Appointment as Lead Plaintiffs, the Accesswire notice publication, and all exhibits thereto, all other pleadings and papers on file and such other arguments and materials as may be presented before the Motion is taken under submission.

Dated: December 22, 2022

Respectfully Submitted,

By: /s/ Evan Spencer
Evan Spencer
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ATTORNEY FOR PLAINTIFFS
AND THE CLASSES

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 22nd day of December 2022, a true and correct copy of the above and foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system giving notice to all parties in this action.

/s/Evan Spencer
Evan Spencer